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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/734,738	12/12/2003	Gilles Houle	5053-00509	9583

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EXAMINER

CHAWAN, SHEELA C

ART UNIT	PAPER NUMBER
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2624

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/23/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/734,738

Applicant(s)

HOULE ET AL.

Examiner

Sheela C. Chawan

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10/27/06.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 415-458, 491, 496 and 1093-1123 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 415-417, 419-439, 444-450, 452-455, 457-458, 491, 496, 1093-1100, 1108-1111, 1113, 1116-1118, 1120-1123 is/are rejected.
- 7) ☒ Claim(s) 418, 451, 456, 1112, 1114, 1115 and 1119 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>12/23/04, 12/13/04</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Applicant's amendment filed on October 27, 2006 has been entered.
Claims 1-414, 459-490, 492-495, 497- 1092 have been canceled.
Claims 415- 458, 491, 496, 1093- 1123 are pending in the application.

Response to Restriction

2. Applicant's election without traverse of Species I Group claims 415-458,491,496 and 1093-1123 in the reply filed on October 27, 2006 is acknowledged.

Drawings

3. The Examiner has approved drawings filed on 12/12/03.

Information Disclosure Statement

4. The information disclosure statement (IDS) submitted on 12/23/04, 12/13/04, the examiner has considered.

Claim Rejections - 35 USC § 101

5. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 453 and 496 are rejected under 35U.S.C. 101 because the claimed invention 453 and 496 are directed to non-statutory subject matter. The terminology "A carrier medium comprising program instructions, wherein the program instruction are computer-executable" alone has no set definition. The following claim formats are acceptable and not subject to a 101 rejection "A computer readable medium encoded with a computer program" for performing the steps of ...". See – MPEP 2106.

Allowable Subject Matter

6. Claims 418, 451, 456, 1112, 1114, 1115 and 1119 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 415 – 417, 419- 439, 444- 450, 452-455, 457-458, 491, 496, 1093- 1100, 1108-1111, 1113, 1116 -1118, 1120- 1123, are rejected under 35 U.S.C. 102(e) as being anticipated by Ericson et al., (US. 6,836,555 B2).

As to claim 415, Ericson discloses a method of assessing information in a document using a computer system (fig 1, document is a payment product or a cheque), comprising:

providing the document to the computer system (column 12 lines 15-18)
wherein the document comprises at least two information fields (fig 1, 6a, 6b and 6c);
obtaining information on writing in an information field of the document (fig 1,
item 5, column 8, lines 47-57, 64-67); and
comparing the obtained written information in the information field and written
information in at least one other information field to at least one writing profile
representation from at least one other document (fig 3, column 3, lines 60-67, column 4,
lines 1-3, column 8, lines 47-57, 64-67, column 12, lines 15-64),
wherein at least one of the writing profile representations comprise written
information from the information field and written information from at least one of the
other information fields from at least one of the other documents (column 13, lines 21-
63).

As to claim 416, Ericson discloses the method of claim 415, further comprising
using at least one of the comparisons of written information to verify the obtained written
information (fig 3, column 3, lines 60-67, column 4, lines 1-3, column 8, lines 47—57, 64-
67, column 12, lines 15-64).

As to claim 417, Ericson discloses the method of claim 415, further comprising
assessing whether the obtained written information in the information field and the
written information in at least one other information field approximately matches at least
one writing profile representation from at least one other document (fig 3, column 3, lines
60-67, column 4, lines 1-3, column 8, lines 47-57, 64-67, column 12, lines 15-64).

As to claim 419, Ericson discloses the method of claim 415, wherein obtaining information on writing comprises recognizing written information (fig 3, element 34).

As to claim 420, Ericson discloses the method of claim 415, further comprising assessing a frequency (note, frequency is associated with a lexicon name which corresponds fig 3, element 33) associated with the written information in the information field if the written information in the information field and written information in at least one other information field approximately matches at least one writing profile representation (column 8, lines 47-57, 64-67, column 12, lines 15-64, column 13, lines 21-63).

As to claim 421, Ericson discloses the method of claim 415, further comprising assessing whether the written information in the information field comprises written information associated with a particular frequency (fig 3, 33).

As to claim 422, Ericson discloses the method of claim 415, wherein providing the document to the computer system comprises providing images of the document to the computer system (column 11, lines 16-23).

As to claim 423, Ericson discloses the claim 415, wherein comparing written information comprises comparing at least one characteristic of the writing (fig 3, 33, 34 and 35).

As to claim 424, Ericson discloses the method of claim 415, wherein at least handwriting profile representation is obtained from a valid document (fig 12, column 12, lines 15-64).

As to claim 425, Ericson discloses the method of claim 415, wherein at least one of the documents comprises a payment instrument, and wherein the writing is writing from at least one account owner of an account of the payment instrument (column 12, lines 42-49).

As to claim 426, Ericson discloses the method of claim 415, wherein providing the document to the computer system comprises obtaining images of writing of at least one information field (fig 3, column 11, lines 16-23).

As to claim 427, Ericson discloses the method of claim 415, wherein the written information in the information field comprises an image (fig 3, column 11, lines 16-23).

As to claims 428 and 437, Ericson discloses the method of claim 415, wherein the written information comprises at least one mathematical representation (column 12, lines 10-13).

As to claims 429 and 438, Ericson discloses the method of claim 415, wherein the written information in the information field comprises at least one image (fig 3, 6a or 6b or 6c).

As to claims 430 and 439, Ericson discloses the method of claim 415, wherein the written information in the information field comprises at least one type of written information (fig 3).

As to claim 431, Ericson discloses the method of claim 415, wherein the written information in the information field comprises at least one type of written information, and wherein at least one type of written information comprises a word type (fig 3).

As to claim 432, Ericson discloses the method of claim 415, wherein the written information in the information field comprises at least one type of written information, and wherein at least one type of written information comprises a character type (fig 3).

As to claim 433, Ericson discloses the method of claim 415, wherein the written information in the information field comprises at least one global feature of the writing (fig 3, 34).

As to claim 434, Ericson discloses the method of claim 415, wherein the written information in the information field comprises at least one local feature of the writing (fig 3, 34).

As to claim 435, Ericson discloses the method of claim 415, wherein the written information in the information field comprises at least one syntax pattern (column 25, lines 14-18).

As to claim 436, Ericson discloses the method of claim 415, wherein the written information in the information field comprises at least one lexicon name for at least one information field (fig 3, 33).

Regarding claims 448 and 491, argument analogous those presented for claim 415 is applicable to claims 448 and 491. Regarding a system, comprising as discloses by Ericson a CPU (fig 1).

a data memory coupled to the CPU (fig 1, 4); and

a system memory coupled to the CPU, wherein the system memory is configured to store one or more computer programs (column 9, lines 66-67, column 10, lines 1-32) executable by the CPU, and wherein the computer programs are executable to

implement a method of assessing information in a document (fig 1, item 4 and 4').

Regarding claims 453 and 496, argument analogous those presented for claim 415 is applicable to claims 453 and 496. Regarding a system, comprising as discloses by Ericson A carrier medium comprising program instructions, wherein the program instructions are computer-executable to implement a method of assessing information in a document, as taught by Ericson (column 9, lines 66-67, column 10, lines 1-32).

As to claim 1093, Ericson discloses the method of claim 415, wherein the document comprises a payment instrument, wherein a the information field comprises a signature field of the payment instrument (fig 1, 6c), wherein at least one of the other information fields is a non-signature field of the payment instrument (fig 1, 6b).

As to claim 1094, Ericson discloses the method of claim 1093, wherein the at least one other information field comprises an amount field of the payment instrument (fig 3 and 5, and 6a).

As to claim 1095, Ericson discloses the method of claim 1093, wherein the at least one other information field comprises a payee field of the payment instrument (fig 3 and 5).

As to claim 1096, Ericson discloses the method of claim 1093, wherein the at least one other information field comprises a date field of the payment instrument (column 15, lines 25-27).

As to claim 1097, Ericson discloses the method of claim 415, wherein the document comprises a payment instrument wherein the written information being

compared comprises written information from at least two non-signature fields (fig 1, column 13, lines 22-63).

As to claim 1098, Ericson discloses the method of claim 415, wherein the at least one other information field comprises pre-printed information in the document (column 15, lines 19-23).

As to claim 1099, Ericson discloses the method of claim 415, wherein the document comprises a payment instrument, wherein the at least one other information field comparing the obtained written information in the information field and written information in at least one other information field comprises comparing the pre-printed information against a stock profile representation associated with at least one other document and assessing potential fraud based on the comparison of the pre-printed information against the stock profile representation (column 13, lines 20- 63, column 15, lines 20- 58).

As to claim 1100, Ericson discloses the method of claim 1099, wherein the document comprises a payment instrument, wherein comparing pre-printed information in the document against a stock profile representation comprises comparing pre-printed information against layout characteristics of the stock profile representation.

As to claim 1108, Ericson discloses the method of claim 415, wherein comparing the obtained written information in the information field and written information in at least one other information field to at least one writing profile representation from at least one other document comprises:

assessing whether written information in a first information field of the document approximately matches written information from a corresponding information field the at least one other document (fig 3, column 3, lines 60-67, column 4, lines 1-3, column 8, lines 47-57, 64-67, column 12, lines 15-64)
; and

assessing whether written information in a second information field of the document approximately matches written information from a corresponding information field in the at least one other document (column 13, lines 21-63).

As to claim 1109, see the rejection of claim 415 above.

As to claim 1110, see the rejection of claim 415 above.

As to claim 1111, Ericson discloses the method of claim 415, further comprising analyzing a correlation of information between two or more of the information fields ((fig 3, column 3, lines 60-67, column 4, lines 1-3, column 8, lines 47-57, 64-67, column 12, lines 15-64, column 13, lines 21-63).

As to claim 1113, Ericson discloses the method of claim 415, wherein at least one writing profile representation comprises at least one lexicon name for at least one information field (fig 3, 33).

As to claim 1116, Ericson discloses the method of claim 415, further comprising analyzing a correlation of information between two or more non-signature information fields (fig 1).

As to claim 1117, Ericson discloses the method of claim 1116, wherein one of the non-signature information fields is a payee name field (fig 1).

As to claim 1118, Ericson discloses the method of claim 1116, wherein one of the non-signature information fields is an amount field (fig 1).

As to claim 1120, Ericson discloses the method of claim 415, further comprising predicting a likely entry type in one information field of the document based on an entry in another of the information fields of the document (column 13, lines 22-63).

As to claim 1121, Ericson discloses the method of claim 415, further comprising assessing whether written information in a first information field of the document was written by the same person as written information in at least one other information field of the document (column 3, lines 45-53).

As to claim 1122, Ericson discloses the method of claim 1121, wherein assessing whether written information in the first information field of the document is written by the same person as at least one other information field of the document comprises determining if there is an approximate match of at least one global characteristic in the first information field of the document and at least one of the other information fields of the document (column 3, lines 45-53).

As to claim 1123, Ericson discloses the method of claim 1122, wherein the first information field and at least one of the other information fields are non-signature fields (column 13, lines 22-63).

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and

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the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains.

Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

Claims 440- 443 and 1101-1107, are rejected under 35 U.S.C. 103(a) as being unpatentable over Ericson et al., (US.6, 836,555 B2), as applied to the claims 415-417, 419-439, 444-450,452-455,457-458, 491, 496, 1093-1100,1108-1111,1113, 1116-1118, 1120-1123 above and further in view of Ammar (US 6,424,728 B1).

Regarding claim 440, Ericson discloses information management system with authenticity check. Ericson is silent about wherein at least one writing profile representation comprises at least one writing variant of an example of at least one type of written information.

Ammar discloses method and apparatus for verification of signatures. The system comprises of:

wherein at least one writing profile representation comprises at least one writing variant of an example of at least one type of written information (column 2, lines 24-31, column 5, lines 1-15).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Ericson to include wherein at least one writing profile representation comprises at least one writing variant of an example of at least one type of written information. It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Ericson by the teaching of Ammar in order to increase the accuracy of learning samples improves until ten genuine training samples are collected (as suggested by Ammar at column 8, lines 19-21).

As to claim 441, Ammar discloses the method of claim 415, wherein at least one writing profile representation comprises at least one writing variant of an example of at least one type of written information and wherein at least one type of written information comprises a word type (fig 4 and 5).

As to claim 442, Ammar discloses the method of claim 415, wherein at least one writing profile representation comprises at least one writing variant of an example of at least one type of written information, and wherein at least one type of written information comprises a character type (fig 4 and 5).

As to claim 443, Ammar discloses the method of claim 415, wherein at least one writing profile representation comprises at least one writing variant of an example of at least one type of written information, and further comprising determining at least one of

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the variants with a cluster algorithm (abstract, column 2, lines 24-56, 57-67, column 4, lines 32-67, column 5, lines 1-15).

As to claims 1101, Ammar discloses the method of claim 1099, wherein the document comprises a payment instrument, wherein comparing pre-printed information in the document against a stock profile representation comprises comparing pre-printed information against characteristics of graphic elements of the stock profile representation (fig 4 and 5).

As to claims 1102-1107, Ammar discloses the method of claim 415, further comprising performing one or more fraud tests and assigning a fraud weight to at least one of the one or more of the fraud tests, wherein the fraud weight corresponds to the strength of the indication of fraud in the payment instrument (column 5, lines 48-67, column 6, lines 1-67, column 7, lines 1-67).

Other prior art cited

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Asbo et al., (US.4,646,351) discloses method and apparatus for dynamic signature verification.

Lee (US. 6,236,740 B1) discloses signature verification apparatus and method utilizing relative angle measurement.

Chai (US. 6,393,138 B1) discloses method of creating registration signature data for computerized signature collation scheme.

Murdock et al., (US. 5,757,960) discloses method and system for extracting features from handwritten text.

Shinal (US. 3,806,704) discloses identification system.

Moussa et al., (US. 5,680,470) discloses method of automated signature verification.

Contact Information

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sheela C Chawan whose telephone number is. 571-272-7446. The examiner can normally be reached on Monday - Thursday 7.30 - 6.00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Bella reached on 571-272-7778. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Sheela Chawan
Patent Examiner
Group Art Unit 2624
Dec 8, 2006

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PRIMARY EXAMINER